

21419. Adulteration of blueberries. U. S. v. 10 Crates of Blueberries. Default decree of condemnation, forfeiture, and destruction. (F. & D. no. 30992. Sample no. 47097-A.)

This case involved an interstate shipment of blueberries which were found to contain maggots.

On August 15, 1933, the United States attorney for the District of Massachusetts, acting upon a report by the Secretary of Agriculture, filed in the district court a libel praying seizure and condemnation of 10 crates of blueberries at Boston, Mass., consigned August 13, 1933, alleging that the article had been shipped in interstate commerce by A. Jaakkola, from Machias, Maine, and charging adulteration in violation of the Food and Drugs Act.

It was alleged in the libel that the article was adulterated in that it consisted in part of a filthy, decomposed, and putrid vegetable substance.

On August 23, 1933, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be destroyed by the United States marshal.

M. L. WILSON, *Acting Secretary of Agriculture.*

21420. Adulteration of blueberries. U. S. v. 13 Crates of Blueberries. Default decree of condemnation, forfeiture, and destruction. (F. & D. no. 31142. Sample no. 51203-A.)

This case involved an interstate shipment of blueberries which were found to contain maggots.

On September 11, 1933, the United States attorney for the Southern District of New York, acting upon a report by the Secretary of Agriculture, filed in the district court a libel praying seizure and condemnation of 13 crates of blueberries at New York, N.Y., alleging that the article had been shipped in interstate commerce on or about September 7, 1933, by Lewis Wright, from Calais, Maine, and charging adulteration in violation of the Food and Drugs Act.

It was alleged in the libel that the article was adulterated in that it consisted in whole or in part of a filthy, decomposed, or putrid vegetable substance.

On October 4, 1933, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be destroyed by the United States marshal.

M. L. WILSON, *Acting Secretary of Agriculture.*

21421. Adulteration and misbranding of butter. U. S. v. 6 Cubes of Butter. Decree of condemnation. Product released under bond. (F. & D. no. 30995. Sample no. 29710-A.)

This case involved a shipment of butter, samples of which were found to contain less than 80 percent of milk fat, the standard for butter established by Congress.

On July 24, 1933, the United States attorney for the Southern District of California, acting upon a report by the Secretary of Agriculture, filed in the district court a libel praying seizure and condemnation of six cubes of butter at Los Angeles, Calif., alleging that the article had been shipped in interstate commerce on or about July 17, 1933, by Calder Bros., from Vernal, Utah, and charging adulteration and misbranding in violation of the Food and Drugs Act. The article was labeled in part: "From Calder Bros. Creamery Co. * * * Calder's Sweet Cream Butter."

It was alleged in the libel that the article was adulterated in that a product containing less than 80 percent by weight of milk fat had been substituted for butter, a product which should contain not less than 80 percent of milk fat as provided by the act of March 4, 1923.

Misbranding was alleged for the reason that the article was labeled "Butter", which was false and misleading, since it contained less than 80 percent of milk fat.

On August 3, 1933, H. J. Thorne, having appeared as claimant for the property and having admitted the allegations of the libel, judgment of condemnation was entered and it was ordered by the court that the product be released to the claimant upon payment of costs and the execution of a bond in the sum of \$125, conditioned that it be reworked under the supervision of this Department.

M. L. WILSON, *Acting Secretary of Agriculture.*